

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL, REQUEST FOR  
EXTENSION, AND TRANSMITTAL OF RESPONSE**

Docket Number  
**2345/218**

Application Number  
**10/542,102**

Filing Date  
**April 11, 2006**

Examiner Art Unit  
**Diego D. Herrera 2617**

Title  
**ADMINISTRATOR FOR AUTOMATICALLY  
ADAPTING A TRANSMISSION CHANNEL**

Applicant(s)  
**Frank BINDEL, et al.**

Address to:  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web submission with attention to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: November 27, 2009

Signature: /Linda Lecomte/  
Linda Shudy Lecomte (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated May 27, 2009, finally rejecting claims 11 and 13 to 25. Applicants believe that claims 11 and 13 to 25 in their present form should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office. This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by three months from August 27, 2009 to November 27, 2009.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$540.00**, and the extension fee amount of **\$1110.00** to the deposit account number **11-0600** of **Kenyon & Kenyon LLP**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon LLP**.

Dated: November 27, 2009

**CUSTOMER NO. 26646**

Respectfully submitted,  
By: /Linda Lecomte/  
Linda Shudy Lecomte (Reg. No. 47,084)  
KENYON & KENYON LLP  
One Broadway  
New York, New York 10004  
Tel. (212) 425-7200  
Fax (212) 425-5288